

S. 1249

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1249, a bill to require the President to close the Department of Defense detention facility at Guantanamo Bay, Cuba, and for other purposes.

S. 1257

At the request of Mr. LIEBERMAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1257, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

S. 1263

At the request of Ms. CANTWELL, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1263, a bill to protect the welfare of consumers by prohibiting price gouging with respect to gasoline and petroleum distillates during natural disasters and abnormal market disruptions, and for other purposes.

S. 1276

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1276, a bill to establish a grant program to facilitate the creation of methamphetamine precursor electronic logbook systems, and for other purposes.

S. 1305

At the request of Mr. COBURN, the names of the Senator from South Carolina (Mr. DEMINT), the Senator from Wyoming (Mr. ENZI) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 1305, a bill making emergency war appropriations for American troops overseas, without unnecessary pork barrel spending and without mandating surrender or retreat in Iraq, for the fiscal year ending September 30, 2007, and for other purposes.

S. CON. RES. 29

At the request of Mr. NELSON of Florida, the names of the Senator from Ohio (Mr. BROWN), the Senator from New York (Mr. SCHUMER), the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Mr. KERRY), the Senator from Tennessee (Mr. CORKER) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. Con. Res. 29, a concurrent resolution encouraging the recognition of the Negro Baseball Leagues and their players on May 20th of each year.

S. RES. 30

At the request of Mr. BIDEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Res. 30, a resolution expressing the sense of the Senate regarding the need for the United States to address global climate change through the negotiation of fair and effective international commitments.

S. RES. 106

At the request of Mr. DURBIN, the name of the Senator from Maryland

(Mr. CARDIN) was added as a cosponsor of S. Res. 106, a resolution calling on the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide.

S. RES. 171

At the request of Ms. COLLINS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Res. 171, a resolution memorializing fallen firefighters by lowering the United States flag to half-staff on the day of the National Fallen Firefighter Memorial Service in Emmitsburg, Maryland.

AMENDMENT NO. 1009

At the request of Mr. HATCH, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of amendment No. 1009 intended to be proposed to S. 1082, a bill to amend the Federal Food, Drug, and Cosmetic Act to reauthorize and amend the prescription drug user fee provisions, and for other purposes.

AMENDMENT NO. 1043

At the request of Mr. REED, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of amendment No. 1043 intended to be proposed to S. 1082, a bill to amend the Federal Food, Drug, and Cosmetic Act to reauthorize and amend the prescription drug user fee provisions, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA:

S. 1315. A bill to amend title 38, United States Code, to enhance life insurance benefits for disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce the Disabled Veterans Insurance Improvement Act of 2007.

The purpose of this legislation is to make certain improvements in the insurance programs available to service-connected disabled veterans. It has two main components.

First, this legislation would increase the maximum amount of Veterans Mortgage Life Insurance, VMLI, that a service-connected disabled veteran may purchase from the current maximum of \$90,000 to \$200,000. The VMLI program was established in 1971 and is available to those service-connected disabled veterans who have received specially adapted housing grants from VA. In the event of the veteran's death, the veteran's family is protected because the Department of Veterans Affairs will pay the balance of the mortgage owed up to the maximum amount of insurance purchased.

The need for this increase is obvious in today's housing market where, during February, the median sale price of

a home in the United States was estimated by the Bureau of Census to be \$250,000. My legislation would ensure that this important benefit, which helps secure the financial future of many veterans and their families, keeps pace with changes in the economy.

My bill would also establish a new program of insurance for service-connected disabled veterans that would provide up to a maximum of \$50,000 in level premium term life insurance coverage. This new program would be available to service-connected disabled veterans who are less than 65 years of age at the time of application.

Under the new program, eligible service-connected veterans would be able to purchase, in increments of \$10,000, up to a maximum amount of \$50,000 in insurance. Importantly, unlike existing life insurance programs, the premium rates for this program would be based on the 2001 Commissioners Standard Ordinary Basic Table of Mortality rather than the 1941 mortality table that the Service-Disabled Veterans Insurance, S-DVI, program is based upon.

When an insured veteran reaches age 70, two things would occur under this new program of insurance. First, the amount of insurance would be reduced to 20 percent of the amount of insurance in force prior to the veteran's 70th birthday. Second, the veteran would cease making premium payments. This means that during those years where the family's financial obligations would be commensurately higher because of children, mortgages, and the potential impact of any loss of income, the veteran's family would be able to purchase the maximum amount of term life insurance. At age 70, when resources are likely to be most restricted and the need for substantial insurance to take care of a family's needs after the veteran's death have lessened, the veteran would no longer have an obligation to continue to pay any insurance premiums.

My proposal provides that application for this insurance would need to be submitted by an eligible veteran within 2 years from the date on which VA establishes a service-connected disability to exist but not later than 10 years after a veteran's release from active duty. It would further provide that during the first year of the program, any eligible veteran who is presently insured under the S-DVI program could convert that insurance to a policy under this new program.

Both of the proposals contained in the legislation I am introducing today are compatible with the provisions of S. 643, the proposed Disabled Veterans Insurance Act of 2007, which I introduced on February 15 of this year.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1315

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. SHORT TITLE.

This Act may be cited as the “Disabled Veterans Insurance Improvement Act of 2007”.

# SEC. 2. ENHANCEMENT OF VETERANS’ MORTGAGE LIFE INSURANCE.

Section 2106(b) of title 38, United States Code, is amended by striking “\$90,000” and inserting “\$200,000”.

# SEC. 3. LEVEL-PREMIUM TERM LIFE INSURANCE FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES.

(a) IN GENERAL.—Chapter 19 of title 38, United States Code, is amended by inserting after section 1922A the following new section:

## “§ 1922B. Level-premium term life insurance for veterans with service-connected disabilities

“(a) IN GENERAL.—In accordance with the provisions of this section, the Secretary shall grant insurance to each eligible veteran who seeks such insurance against the death of such veteran occurring while such insurance is in force.

“(b) ELIGIBLE VETERANS.—For purposes of this section, an eligible veteran is any veteran less than 65 years of age who has a service-connected disability.

“(c) AMOUNT OF INSURANCE.—(1) Subject to paragraph (2), the amount of insurance granted an eligible veteran under this section shall be \$50,000 or such lesser amount as the veteran shall elect. The amount of insurance so elected shall be evenly divisible by \$10,000.

“(2) The aggregate amount of insurance of an eligible veteran under this section, section 1922 of this title, and section 1922A of this title may not exceed \$50,000.

“(d) REDUCED AMOUNT FOR VETERANS AGE 70 OR OLDER.—In the case of a veteran insured under this section who turns age 70, the amount of insurance of such veteran under this section after the date such veteran turns age 70 shall be the amount equal to 20 percent of the amount of insurance of the veteran under this section as of the day before such date.

“(e) PREMIUMS.—(1) Premium rates for insurance under this section shall be based on the 2001 Commissioners Standard Ordinary Basic Table of Mortality and interest at the rate of 4.5 per centum per annum.

“(2) The amount of the premium charged a veteran for insurance under this section may not increase while such insurance is in force for such veteran.

“(3) The Secretary may not charge a premium for insurance under this section for a veteran as follows:

“(A) A veteran who has a service-connected disability rated as total and is eligible for a waiver of premiums under section 1912 of this title.

“(B) A veteran who is 70 years of age or older.

“(4) Insurance granted under this section shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited directly to a revolving fund in the Treasury of the United States, and any payments on such insurance shall be made directly from such fund. Appropriations to such fund are hereby authorized.

“(5) Administrative costs to the Government for the costs of the program of insurance under this section shall be paid from premiums credited to the fund under paragraph (4), and payments for claims against the fund under paragraph (4) for amounts in excess of amounts credited to such fund under that paragraph (after such administra-

tive costs have been paid) shall be paid from appropriations to the fund.

“(f) APPLICATION REQUIRED.—An eligible veteran seeking insurance under this section shall file with the Secretary an application therefor. Such application shall be filed not later than the earlier of—

“(1) the end of the two-year period beginning on the date on which the Secretary notifies the veteran that the veteran has a service-connected disability; and

“(2) the end of the 10-year period beginning on the date of the separation of the veteran from the Armed Forces, whichever is earlier.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 19 of such title is amended by inserting after the item related to section 1922A the following new item:

“1922B. Level-premium term life insurance for veterans with service-connected disabilities.”.

(c) EXCHANGE OF SERVICE DISABLED VETERANS’ INSURANCE.—During the one-year period beginning on the date of the enactment of this Act, any veteran insured under section 1922 of title 38, United States Code, who is eligible for insurance under section 1922B of title 38, United States Code (as added by subsection (a)), may exchange insurance coverage under such section 1922 for insurance coverage under such section 1922B.

# SEC. 4. ADMINISTRATIVE COSTS OF SERVICE DISABLED VETERANS’ INSURANCE.

Section 1922(a) of title 38, United States Code, is amended by striking “date of such insurance” and inserting “date of such insurance; (5) administrative costs to the Government for the costs of the program of insurance under this section shall be paid from premiums credited to the fund under paragraph (4), and payments for claims against the fund under paragraph (4) for amounts in excess of amounts credited to such fund under that paragraph (after such administrative costs have been paid) shall be paid from appropriations to the fund”.

# SEC. 5. MODIFICATION OF SERVICEMEMBERS’ GROUP LIFE INSURANCE COVERAGE.

(a) EXPANSION OF SERVICEMEMBERS’ GROUP LIFE INSURANCE TO INCLUDE CERTAIN MEMBERS OF INDIVIDUAL READY RESERVE.—

(1) IN GENERAL.—Paragraph (1)(C) of section 1967(a) of title 38, United States Code, is amended by striking “section 1965(5)(B) of this title” and inserting “subparagraph (B) or (C) of section 1965(5) of this title”.

(2) CONFORMING AMENDMENT.—Paragraph (5)(C) of such section 1967(a) is amended by striking “section 1965(5)(B) of this title” and inserting “subparagraph (B) or (C) of section 1965(5) of this title”.

(b) REDUCTION IN PERIOD OF COVERAGE FOR DEPENDENTS AFTER MEMBER SEPARATES.—Section 1968(a)(5)(B)(ii) of such title is amended by striking “120 days after”.

By Mrs. FEINSTEIN (for herself,  
Mr. DURBIN, and Mr. KENNEDY)

S. 1316. A bill to establish and clarify that Congress does not authorize persons convicted of dangerous crimes in foreign courts to freely possess firearms in the United States; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am pleased to join with Senators DURBIN and KENNEDY in introducing the Firearms by Foreign Convicts Clarification Act. This bill would close a loophole that exists in current law, by stating that people convicted of foreign felonies and domestic violence, just like people convicted of similar

American crimes, cannot possess firearms in the United States.

I imagine that most Americans may be surprised, as I was, to learn that foreign felons actually have greater gun rights than American citizens who have been convicted of felonies and domestic violence in our own courts. Our country has been trying to keep guns out of the hands of criminals for at least the last 40 years, since the landmark Gun Control Act of 1968. Unfortunately, in 2005 the Supreme Court created a gaping loophole in this longstanding felon-in-possession law.

That happened in the case of *Small v. United States*, where a majority of the Court essentially held that foreign convictions don’t count for the purpose of being a felon in possession of a firearm. This was not because the Justices somehow thought that exempting foreign convictions from our felon-in-possession laws was wise public policy. In fact, as Justice Thomas noted in his dissent, “the majority’s interpretation permits those convicted overseas of murder, rape, assault, kidnapping, terrorism and other dangerous crimes to possess firearms freely in the United States.”

The problem in *Small* was that a majority of the Court felt that our 1968 law had not been written clearly enough. Although Congress had said that a person convicted of a felony “in any court” could not possess a firearm, the majority said that this phrase, “any court,” might have been meant to apply only to “any American court” rather than what the legislation actually said—“any court.”

The Federal felon-in-possession law had already been applied to foreign felons in several prosecutions since 1968, but the Court found unpersuasive both this history and the statute’s express language. Dissenting Justices Thomas, Scalia and Kennedy accused the majority of creating a novel canon of legal construction that will “wreak havoc” with established rules of extraterritorial construction. But whatever we may think of the Court’s analysis, there is no doubt that the *Small* decision is now the law of the land. And if we want to close this legal loophole, it is clear that we need to pass some clarifying legislation. The bill I introduce today would do just that.

Under this bill, section 921 of Title 18, the definitions section, would be amended to state clearly that “[t]he term ‘any court’ includes any Federal, State, or foreign court.” Similar changes would be made in other sections of the Gun Control Act, where there are references to “state offenses” or “offenses under state law, the bill would expand these terms to include convictions of foreign offenses and offenses under foreign law.

In other words, the bill would make clear that if someone is convicted in a foreign court of an offense that would have disqualified him from possessing a gun if that conviction had been handed

down in the U.S., the same laws relating to gun possession will be applied. The only exception will be if there is reason to think the conviction entered by the foreign jurisdiction is somehow invalid.

In that situation, this bill would create an exemption, allowing a person convicted in a foreign jurisdiction to challenge its validity. Under the bill, a foreign conviction will not constitute a "conviction" for purposes of the felon-in-possession laws, if the foreign conviction either (1) resulted from a denial of fundamental fairness that would violate due process if committed in the United States, or (2) if the conduct on which the foreign conviction was based would be legal if committed in the United States.

I expect that these circumstances will be fairly rare, but the bill does take them into account and will provide a complete defense to anyone with an invalid foreign conviction. And in any event, it is clear that we should not keep in place a policy in which the tail wags the dog. The current state of the law is that we essentially treat every foreign conviction as invalid. And that is simply illogical.

An example of why we need to fix this law occurred in 2001, when U.S. agents with bulletproof vests raided the New York hotel room of suspect Rohan Ingram. Ingram was found with 13 firearms and had an extensive criminal background, including at least 18 convictions for crimes such as assault and use of firearms during crimes. Law enforcement had flagged him as "armed and dangerous." But because all of his convictions had occurred in foreign courts, his felon-in-possession charge was eventually thrown out of court. That is simply not a tolerable state of affairs in a post-9/11 world.

Particularly in these times, America cannot continue to give foreign-convicted murderers, rapists and even terrorists an unlimited right to buy firearms in the United States, including even assault weapons that they might try to send to colleagues abroad, or use to develop a cache of weapons to use to kill our citizens within the United States. American citizens convicted of identical crimes at home are denied the ability to buy and possess such firearms, and the time has come to fix this loophole so that foreign convicts are placed in the same category.

I urge my colleagues to support this legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1316

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Firearms by Foreign Convicts Clarification Act of 2007".

#### SEC. 2. DEFINITIONS.

(a) COURTS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

"(36) The term 'any court' includes any Federal, State, or foreign court."

(b) EXCLUSION OF CERTAIN FELONIES.—Section 921(a)(20) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking "any Federal or State offenses" and inserting "any Federal, State, or foreign offenses";

(2) in subparagraph (B), by striking "any State offense classified by the laws of the State" and inserting "any State or foreign offense classified by the laws of that jurisdiction"; and

(3) in the matter following subparagraph (B), in the first sentence, by inserting before the period the following: " , except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States".

(c) DOMESTIC VIOLENCE CRIMES.—Section 921(a)(33) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking "subparagraph (C)" and inserting "subparagraph (B)"; and

(2) in subparagraph (B)(ii), by striking "if the conviction has" and inserting the following: "if the conviction—

"(I) occurred in a foreign jurisdiction and the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States; or

"(II) has".

#### SEC. 3. PENALTIES.

Section 924(e)(2)(A)(ii) of title 18, United States Code, is amended—

(1) by striking "an offense under State law" and inserting "an offense under State or foreign law"; and

(2) by inserting before the semicolon the following: " , except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States".

By Mr. INOUE (for himself and Mr. AKAKA):

S. 1319. A bill to provide for the conversion of a temporary judgeship for the district of Hawaii to a permanent judgeship; to the Committee on the Judiciary.

Mr. INOUE. Mr. President, I rise today to support this bill addressing the need for a fourth permanent judgeship for the District of Hawaii.

Hawaii currently has four active District Court judges. However, if any of its four active judges either accepts senior status and retires, or becomes otherwise unable to serve, the District of Hawaii will not be able to replace that vacancy with another active judge. This will pose a problem for not only the active judges, as their workload will increase, but also for the public because an unfilled vacancy may have a disastrous effect on our court's caseloads. This bill ensures the continued efficiency of Hawaii's District court system.

Thank you for allowing me this opportunity to share with you the importance of this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1319

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONVERSION OF TEMPORARY JUDGESHIP TO PERMANENT JUDGESHIP FOR THE DISTRICT OF HAWAII.

(a) IN GENERAL.—The existing judgeship for the district of Hawaii authorized by section 203(c) of the Judicial Improvements Act of 1990 (28 U.S.C. 133 note; Public Law 101-650; 104 Stat. 5089) shall, as of the date of enactment of this Act, be authorized under section 133 of title 28, United States Code, and the incumbent in that office shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(b) TABLES.—In order that the table contained in section 133(a) of title 28, United States Code, will reflect the change in the total number of permanent district judgeships authorized as a result of subsection (a) of this section, the item relating to Hawaii is amended to read as follows:

"Hawaii ..... 4".

Mr. AKAKA. Mr. President, I rise today with my colleague from Hawaii, Senator DANIEL INOUE, to introduce legislation to convert a temporary judgeship for the U.S. District Court for the District of Hawaii to a permanent position.

There are currently 3 permanent Federal judgeships and one temporary Federal judgeship in the U.S. District Court, District of Hawaii. The Judicial Improvement Act of 1990, P.L. 101-650 created the temporary position and mandates that the first vacancy occurring in Hawaii after October 2004 cannot be filled. The District of Hawaii will be left with only 3 Federal judge positions upon a judge vacating his or her position. The loss of a judgeship will severely impact Hawaii's judicial system.

In March 2007, the Judicial Conference recommended that Congress convert 5 temporary judgeships, one of which is in the District of Hawaii, to permanent status. Their recommendation is largely based on the significant increase in weighted filings that would occur if a judgeship is lost. The Conference projects that the current weighted filing of 380 per judgeship would climb to 507 per judgeship, which is 18 percent above the Conference standard, should the District of Hawaii lose a judgeship.

In addition, the Conference reported that the median time from filing to disposition for criminal cases in Hawaii has continued to increase from 1999 to 2005, making Hawaii's case processing times the second slowest in the nation. Since 2001, the District Court of Hawaii has completed an average of 50 trials per year, significantly less than the national average. Although Hawaii has 4 judgeships, 2 are senior judges

who only handle a small number of civil cases. The limited assistance provided by these senior judges is likely to decline further in the near future. These judges are not able to retire due to the constraints put forth by the loss of the temporary judgeship seat, should one of the current judges decide to leave. Furthermore, receiving assistance from visiting judges is made difficult by the high cost of travel to Hawaii. For these, and many other reasons, the Judicial Council of the Ninth Circuit supports the Judicial Conference's recommendation to convert this temporary judgeship to a permanent position.

I share the concern of many in Hawaii's legal community that the lack of a fourth permanent position will delay the timely issuance of justice in matters pending before the U.S. District Court, District of Hawaii. This is a disservice to all. The economic impact of extending trials and prolonging time spent in jail will burden Hawaii's taxpayers. Moreover, the lack of timely judicial review will have negative social impacts by prolonging the disruption in individuals' families and lives. The bill we introduce today would ensure 4 Federal judgeships remain active in Hawaii to address the needs of the District Court of Hawaii and the people of Hawaii.

By Mr. REID (for Mr. OBAMA (for himself and Mr. HARKIN)):

S. 1324. A bill to amend the Clean Air Act to reduce greenhouse gas emissions from transportation fuel sold in the United States; to the Committee on Environment and Public Works.

Mr. OBAMA. Mr. President, we heard from a panel of top climate change experts from around the world earlier this year that global warming is a certainty and that most of the temperature increase is very likely due to rising greenhouse gas concentrations. Reducing America's dependence on oil should be one of our top priorities, but any policy that affects our production and consumption of fuel must also address the pressing problem of global warming. Because the oil used in the U.S. transportation sector accounts for about one-third of our nation's emissions of greenhouse gases, we must adopt a policy that curtails these emissions in an effective manner.

Today, along with Senator HARKIN, I am introducing the National Low-Carbon Fuel Standard Act of 2007, which calls for a reduction in the lifecycle greenhouse gas emissions of the transportation fuels sold in the U.S. of 5 percent in 2015 and 10 percent in 2020. These reductions can play an important role in stemming the dangerous transformation of our climate.

According to one estimate, the National Low-Carbon Fuel Standard, NLCFS, would reduce annual greenhouse gas emissions by about 180 million metric tons in 2020. This is the equivalent of taking over 30 million cars off the road. If enacted in conjunc-

tion with the bill I introduced earlier this year to raise fuel efficiency standards, the NLCFS would reduce greenhouse gas emissions by about 530 million metric tons in 2020, the equivalent of taking over 50 million cars off the road.

The effect on our oil imports would also be dramatic. By making greater use of home-grown, renewable fuels, the NLCFS could reduce the annual consumption of gasoline derived from foreign oil imports by about 30 billion gallons in 2020.

The NLCFS will greatly expand the market for domestic renewable fuels such as corn-based ethanol, cellulosic ethanol, and biodiesel. By one estimate, the NLCFS will create a market for over 40 billion gallons of biofuels by 2020. To provide near-term demand certainty for renewable fuel producers, the bill expands the Renewable Fuel Standard established in the Energy Policy Act of 2005 to require 15 billion gallons of renewable fuel by 2012.

The bill also contains a minimum requirement for fuels with lifecycle greenhouse gas emissions that are 50 and 75 percent lower than gasoline. This requirement signals to investors that there will be a market for advanced fuels with ultra-low carbon emissions, but still allows significant leeway for fuel blenders to choose the optimal mix of fuels to meet their overall greenhouse gas emissions targets.

Because the NLCFS will encourage a rapid expansion of our domestic renewable fuels production capacity, the bill contains provisions that protect sensitive areas like national wildlife refuges, national parks, old-growth forests, national grasslands, and national forests. The bill calls for an assessment of the impacts of the expansion compared to the business-as-usual scenario of continued reliance on petroleum-based transportation fuels, and the development of standards by 2012 to protect air, land, and water quality. This approach strikes a balance between the need to rapidly expand our domestic renewable fuel production capacity and the need to ensure sustainability and environmental protection. I urge my colleagues to support the National Low-Carbon Fuel Standard Act.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 189—TO AUTHORIZE TESTIMONY AND LEGAL REPRESENTATION IN DISTRICT OF COLUMBIA V. ELLEN E. BARFIELD, EVE-LEONA TETAZ, JEFFREY A. LEYS, AND JEROME A. ZAWADA

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 189

Whereas, in the cases of District of Columbia v. Ellen E. Barfield (Cr. No. 07-3133), Eve-

Leona Tetaz (Cr. No. 07-3144), Jeffrey A. Leys (Cr. No. 07-5009), and Jerome A. Zawada (Cr. No. 07-5088), pending in the Superior Court for the District of Columbia, testimony has been requested from Katie Landi, an employee in the office of Senator John McCain;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Katie Landi and any other employees of Senator McCain's office from whom testimony may be required are authorized to testify in the cases of District of Columbia v. Ellen E. Barfield, Eve-Leona Tetaz, Jeffrey A. Leys, and Jerome A. Zawada, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Katie Landi and other employees of Senator McCain's staff in the actions referenced in section one of this resolution.

#### SENATE RESOLUTION 190—EXPRESSING THE CONDOLENCES OF THE NATION TO THE COMMUNITY OF GREENSBURG, KANSAS

Mr. ROBERTS (for himself and Mr. BROWNBACK) submitted the following resolution, which was considered and agreed to:

S. RES. 190

Whereas, on Friday, May 4, 2007, a tornado struck the community of Greensburg, Kansas;

Whereas this tornado was classified as an EF-5, the strongest possible type, by the National Weather Service, with winds estimated at 205 miles per hour;

Whereas the tornado is the first EF-5 on the Enhanced Fujita scale, and the first F-5 on the previous scale since 1999;

Whereas approximately 95 percent of Greensburg is destroyed;

Whereas 1,500 residents have been displaced from their homes; and

Whereas, in response to the declaration by the President of a major disaster, the Administrator of the Federal Emergency Management Agency has made Federal disaster assistance available for the State of Kansas to assist in local recovery efforts: Now, therefore, be it

*Resolved*, That the Senate expresses the condolences of the Nation to the community of Greensburg, Kansas, and its gratitude to local, State, and National law enforcement and emergency responders conducting search and rescue operations.

#### SENATE CONCURRENT RESOLUTION 33—RECOGNIZING THE BENEFITS AND IMPORTANCE OF SCHOOL-BASED MUSIC EDUCATION

Mr. ALEXANDER (for himself, Mr. DODD, and Mr. KENNEDY) submitted the